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TRANSMITTAL FORM

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Total Number of Pages In This Submission

Application Number	10/756,970
Filing Date	January 13, 2004
First Named Inventor	Kevin T. Foley, et al.
Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	MSDI-223/PC444.06

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kreg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	December 29, 2005	Reg. No.	45,431

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Foley et al.)	Unassigned
)	
Application Serial No. 10/756,970)	Group Art Unit 3731
)	
Filed January 13, 2004)	Ref. No. MSDI-223
)	
SURGICAL INSTRUMENTATION AND)	December 29, 2005
METHOD FOR TREATMENT OF THE SPINE)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
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Dear Sir:

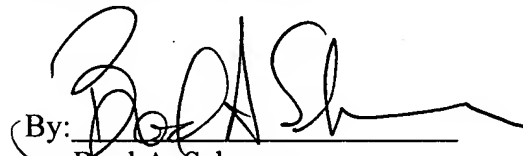
Pursuant to the duty of disclosure embodied in 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the following patents, publications and/or other information listed on the attached PTO Form 1449.

This information has not heretofore been cited by the Examiner. Required copies of the cited foreign patent references and non-patent references are provided herewith where applicable. The filing of this Supplemental Information Disclosure Statement shall not construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56.

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This Statement is being submitted under 37 C.F.R. 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, no fee is believed to be due. However, should any fee be required, please charge such fee to Deposit Account No. 12-2424, but not to include payment of any issue fees.

Respectfully submitted,

By: 

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Doc.667542

